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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,792	02/27/2002	Shadman Zafar	01-1001	5488

32127 7590 03/28/2005

VERIZON CORPORATE SERVICES GROUP INC.
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EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/083,792		ZAFAR ET AL.	
	Examiner		Art Unit	
	Lisa Hashem		2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,7-12,16,17 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7-12,16,17 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 7, 8, 12, and 24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed limitations of the above claims lack support in the original disclosure and are considered new matter (claims 1, 8, 12, 24: the SCP including an identifier of a calling party and a voice mail message and a claim 7: a voice-mailbox).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 7 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application Publication No. US 2002/0077082 by Cruickshank, hereinafter Cruickshank.

Regarding claim 7, Cruickshank discloses a method of receiving voice mail and inherently providing voice mail information to a voice mailbox owner in which a calling party inherently places a telephone call by transmitting signaling information corresponding to a telephone number, and leaves a voice mail message (see Abstract; section 0006, lines 1-9; section 0019, lines 1-6; section 0020, lines 1-3), the method comprising: registering the voice mailbox owner using an instant messaging server (section 0015, lines 18-21; section 0028, lines 1-5; section 0029, lines 1-4); receiving from the calling party the signaling information corresponding to the telephone number; receiving from the calling party the voice mail message; storing the voice mail message in a voice mail storage memory (section 0006, lines 1-9; section 0019, lines 1-6); inherently determining that the voice mailbox owner is a subscriber to a voice mail notification service (section 0029, lines 1-8); generating a voice mail alert message corresponding to the voice mail message, the voice mail alert message including the voice mail message; and transmitting the voice mail alert message to an instant messaging server (section 0028, line 1 – section 0029, line 18).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5, 8-11, 12, 16, 17, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cruickshank in view of U.S. Patent Application Publication No. US 2002/0076027 by Bernnan et al, hereinafter Bernnan.

Regarding claim 1, Cruickshank discloses a method for alerting a called party of a voice mail from a calling party via a network comprising a telephone network (Fig. 1, 108), a data network (Fig. 1, 112), and at least one gateway device or voice messaging server (Fig. 1, 102) connected to both the telephone network and the data network, the method comprising: inherently receiving a first message from a telephone network at the at least one gateway device including an identifier of the calling party and the voice mail message (section 0006, lines 3-9); and providing a second message in an instant messaging format including the calling party identifier and the voice mail message to the called party via the data network (section 0029, lines 1-18).

Cruickshank does not disclose an SCP in the telephone network.

Bernnan discloses a method for alerting a called party of a voice mail from a calling party via a network comprising a telephone network (Fig. 3, 14), a data network (Fig. 3, 14), and at least one gateway device or supervisory system (Fig. 3, 48) connected to both the telephone network and the data network, the method comprising: inherently receiving a message from a

SCP in the telephone network at the at least one gateway device including an identifier of the called party and receiving a first message including a voice mail message (section 0021, lines 1-9; section 0035, line 1 – section 0036, line 17 section 0045, lines 1-16); and providing a second message in an instant messaging format including the called party identifier and the voice mail message to the called party via the data network (section 0042, lines 1-34; section 0044, lines 15-24; section 0045, lines 1-16; section 0047, lines 1-6).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Cruickshank to include a SCP as taught by Bernnan. One of ordinary skill in the art would have been lead to make such a modification since a SCP can be used to receive an identifier of the calling party (a user of the system) and a voice mail message of a called party, wherein the SCP is in the telephone network and provides the capabilities of voice message forwarding.

Regarding claim 2, the method of claim 1, wherein Cruickshank further discloses the telephone network is a public switched telephone network (Fig. 1, 108).

Regarding claim 3, the method of claim 1, wherein Cruickshank further discloses the telephone network is a wireless telephone network (section 0015, lines 21-24).

Regarding claim 5, the method of claim 1, wherein Cruickshank further discloses providing the second message to the called party via the data network comprises providing the second message in an instant messaging format to a server (Fig. 1, 122) in the data network associated with the called party; and the server forwarding the second message in an instant messaging format to a user terminal of the called party (Fig. 1, 114B) (section 0015, lines 18-21; section 0027, lines 1-10; section 0029, lines 1-18).

Regarding claim 22, the method of claim 1, wherein Bernnan further discloses the first message is inherently an SS7 message (section 0019, line 1 – section 0021, line 9), wherein SS7 is a protocol using a system of nodes including: SSP and SCP.

Regarding claim 23, the method of claim 1, wherein Cruickshank further discloses inherently determining if the called party is a subscriber to a voice mail notification service before providing the second message (section 0029, lines 1-8).

Regarding claims 12, 16, and 17, please see the rejection to claims 1, 5, and 5 above, respectively, to reject the system in claims 12, 16, and 17.

Regarding claim 8, Cruickshank discloses a method for providing voice mail indication to a user in a system comprising a data network (Fig. 1, 112) and a telephone network (Fig. 1, 108), the method comprising: inherently receiving via the telephone network a voice mail for the user (section 0006, lines 3-9); storing the voice mail in the voice messaging server (Fig. 1, 102); sending a message from the voice messaging server to a server or HTTP Server (Fig. 1, 116) connected to the data network, the message including the voice mail; and storing the voice mail in a database or Instant Messaging Network (Fig. 1, 122) in the data network (section 0026, lines 1-23; section 0029, lines 1-18).

Cruickshank does not disclose storing the voice mail in the telephone network and a SCP.

Brennan discloses a method for providing voice mail indication to a user in a system comprising a telephone network (see Fig. 1, 14), the method comprising: receiving via the telephone network a voice mail for the user; storing the voice mail in the telephone network (); sending the called party identifier from a SCP in the telephone network and sending the voice

mail to a server or supervisory system (Fig. 1, 20); and storing the voice mail in the telephone network (section 0019, line 1 – section 0021, line 9; section 0026, line 1 – section 0028, line 22).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Cruickshank to include storing the voice mail in the telephone network and a SCP as taught by Brennan. One of ordinary skill in the art would have been lead to make such a modification since storing the voice mail in the telephone network does not require a gateway device. A SCP (as disclosed in Bernnan) can be used to receive an identifier of the calling party (a user of the system) and a voice mail message of a called party, wherein the SCP is in the telephone network and provides the capabilities of voice message forwarding.

Regarding claim 9, the method of claim 8 mentioned above, wherein Cruickshank further discloses: receiving a request from the user for accessing the voice mail (section 0025, lines 1-10; section 0032, lines 1-5).

Regarding claim 10, the method of claim 8 mentioned above, wherein Cruickshank further discloses: receiving a request from the user for manipulating the status of the voice mail (section 0032, lines 5-32).

Regarding claim 11, the method of claim 10 mentioned above, wherein Cruickshank further discloses manipulating the status of the voice mail further comprises connecting to the telephone network and changing the voice mail status based on the request (section 0031, line 1 – section 0032, line 32).

7. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernnan in view of Cruickshank.

Regarding claim 24, Bernnan discloses a system (Fig. 1, 10) comprising: a voice interface server or supervisory system (SS) (Fig. 1, 20) connected to a voice network (Fig. 1, 14), and configured to communicate with a SCP (Fig. 1, 16) in the voice network inherently using SS7 formatted messages (section 0019, line 1 – section 0021, line 9). Wherein, upon receipt of the voice mail in the voice network: the voice interface server receives a first message in SS7 format, the first message including a calling party phone number and the voice mail and receives a called party number from the SCP; the voice interface server sends the voice mail notification to the called party by sending a second message in IP format, the second message including the calling party phone number and the voice mail; and forwards the second message in IP format to the user terminal (section 0026, line 1 – section 0028, line 22).

Bernnan does not disclose a data interface server and a voice mail notification server.

Cruickshank discloses a data interface server or Instant Messaging Server (Fig. 1, 122) connected to a data network (Fig. 1, 112), and configured to communicate with a user terminal (Fig. 1, 114A) connected to the data network using IP formatted messages; a voice mail notification server or voice messaging server (Fig. 1, 102) connected to the data interface server, and configured to both determine when a called party receives a voice mail through the voice network and send a voice mail notification to the called party at the user terminal; wherein, upon receipt of the voice mail in the voice network: the voice messaging server receives a first message, the first message including a calling party phone number and the voice mail; the voice messaging server sends the voice mail notification to the called party by sending a second

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message in IP format to the data interface server, the second message including the calling party phone number and the voice mail; and the data interface server forwards the second message in IP format to the user terminal (section 0006, lines 3-9; section 0025, lines 7-10; section 0029, lines 1-18).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the system of Bernnan to include a data network and voice mail notification server as taught by Cruickshank. One of ordinary skill in the art would have been lead to make such a modification would utilize three servers to transfer a voice mail message in IP format to a terminal user. A SCP (as disclosed in Bernnan) can be used to receive an identifier of the calling party (a user of the system) and a voice mail message of a called party, wherein the SCP is in the telephone network and provides the capabilities of voice message forwarding.

Regarding claim 25, the system of claim 24, wherein Cruickshank further discloses the second message is in an instant messaging format (section 0029, lines 1-18).

Response to Arguments

8. Examiner acknowledges the cancellation of claims 4, 6, 13-15, and 18-21 in the RCE filed 12-8-2004, hereinafter RCE.

9. Applicant's arguments, see RCE, with respect to the rejection(s) of claim(s) 1-3, 5, 7-12, 16, 17, and 22-25 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Please see all rejections above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 2001/0003202 by Mache et al disclose a system that enables a voice mail message to be transmitted as a unified instant message to a user

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh

March 20, 2005


FAN TSANG
SUPERVISOR-PATENT EXAMINER
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